

DT15 Rec'd PCT/PTO JUN 21 2002

TRANSMITTAL LETTER			
Serial No. 10/049,710	Filing Date February 15, 2002	Examiner Not Assigned	Case No. 5404/18 Group Art Unit Not Assigned
Inventor(s) Atsuhiko Shinmyo et al.			
Title of Invention METHOD OF INDUCING GENE EXPRESSION IN PLANT AND PLANT TREATED THEREBY			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EQ/US) (in Duplicate); Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EQ/US); Declaration for Patent Application; Power of Attorney; Statement According to 37 C.F.R. Section 1.821(f); Sequence Listing (Paper Copy and Computer Readable Copy); Information Disclosure Statement; Form PTO-1449; Cited References; Assignment Transmittal Letter; Assignment; Check(s) for \$130 and \$40; and Return Postcard.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
- ☐ Petition for a _____ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity		or	Other Than Small Entity	
Rate	Add'l Fee		Rate	Add'l Fee
x \$9 =			x \$18 =	
x 42 =			x \$84 =	
+ \$140 =			+ \$280 =	
Total add'l fee	\$		Total add'l fee	\$

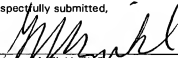
- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$_____. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$_____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

06/27/2002 FAXPAGE 00000110 10049710

31 FC:154

130.00 CP

Respectfully submitted,



Gregory M. Zinkl, P.O.
Registration No. 48,492
Applicant(s) Representative

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20531, on June 17, 2002.

Date: 06/17/02 Signature: 

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents

Washington, D.C. 20231

on

06/17/02

Date of Deposit

Gregory M. Zinkl, Ph.D.

Applicant's Representative

Signature

06/17/02

Date of Signature

Case No. 5404/18

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Atsuhiko Shinmyo et al.

Serial No.: 10/049,710

Attention: Manager,
Application Branch

Filed: February 15, 2002

For: METHOD OF INDUCING
GENE EXPRESSION IN
PLANT AND PLANT
TREATED THEREBY

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents
Washington, D.C. 20231

Attn.: Box Missing Parts

Dear Sir:

In accordance with the Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated April 17, 2002, a copy of which is attached, enclosed herewith for filing are the following documents:

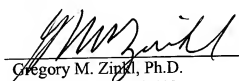


Fully executed Declaration for Patent Application and Power of Attorney for the above-referenced patent application.

- ☒ Applicant is:
- ☐ a small entity, verified statement is:
- ☐ attached
- ☐ already filed
- ☒ other than small entity
- ☒ Checks totaling \$130 for:
- ☐ Filing Fee of \$____.
- ☒ Surcharge of \$130.
- ☐ Additional Claim Fees of \$____.
- ☐ Petition for Extension of Time (37 C.F.R. § 1.136(a)) to file missing parts (in duplicate).
- ☒ Other: Statement According to 37 C.F.R. Section 1.821(f); Sequence Listing (Paper Copy and Computer Readable Copy); Information Disclosure Statement; Form PTO-1449; Cited References; Assignment Transmittal Letter; Assignment; and Check for \$40.
- ☒ The Commissioner is hereby authorized to charge any deficiencies in fees or credit overpayment to Deposit Account No. 23-1925. A duplicate copy of this paper is enclosed.

Respectfully submitted,

Dated: 06/17/02


Gregory M. Zinkl, Ph.D.

Registration No. 48,492

Applicant(s) Representative

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610
(312)321-4200



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/049,710	Atsuhiko Shinmyo	5404-18

INTERNATIONAL APPLICATION NO.	
PCT/JP01/05096	
I.A. FILING DATE	PRIORITY DATE
06/15/2001	06/15/2000

Brinks Hofer Gilson & Lione
PO Box 10395
Chicago, IL 60610

CONFIRMATION NO. 4595

371 FORMALITIES LETTER



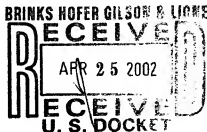
OC00000000787220

Date Mailed: 04/17/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments
- Request for Immediate Examination



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 20 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
 - **APPLICANT MUST PROVIDE:**
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 305-3744

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/049,710	PCT/JP01/05096	5404-18